

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KIMBERLY YOUNG, *et al.*,

Plaintiffs,

V.

REGENCE BLUESHIELD, *et al.*,

Defendants.

Case No. C07-2008RSL

ORDER DENYING MOTION FOR RECONSIDERATION

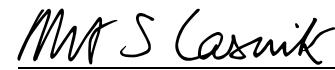
This matter comes before the Court on defendant's motion for reconsideration of the Court's August 6, 2009 order permitting plaintiff to file a reply in support of its motion for reconsideration. On June 18, 2009, plaintiff filed a motion for reconsideration of the Court's previous order dismissing their claims. After receiving the motion for reconsideration, the Court issued an order permitting defendant to file a response to the motion, which they did. The order explained that no further briefing on the issue would be accepted. Plaintiff then filed a motion to file a reply. Defendant did not respond to that motion, the Court granted it, and defendant now seeks to have the order vacated and the motion to file a reply denied.

Defendant contends that it did not believe it could file a response to the motion to file a reply because the Court's prior order precluded further briefing on the first motion

1 for reconsideration. That order, however, did not preclude defendant from filing a
2 response to the subsequently-filed motion. Moreover, the motion to file a reply was not
3 filed as a motion for reconsideration, to which no response is generally permitted.
4 Rather, it was filed as a motion for relief from a limit imposed by court order and noted
5 for a later date, which gave defendant the opportunity to respond. Regardless, the Court
6 did not grant plaintiff's motion solely based on defendant's failure to reply. The motion
7 was also granted on its merits.

8 Accordingly, the motion to for reconsideration (Dkt. #109) is DENIED.
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10 DATED this 10th day of August, 2009.
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14 Robert S. Lasnik
United States District Judge
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